

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BEST LIGHTING PRODUCTS, INC.,)	
an Ohio corporation,)	
)	
Plaintiff,)	Civil Action No. 2:07-cv-39
)	
v.)	Honorable George C. Smith
)	
MAGNATRON, INC.,)	Magistrate Judge Mark R. Abel
a Florida corporation,)	
)	
and)	
)	
R.T. ELECTRICAL DISTRIBUTORS, INC.,)	
a Florida corporation,)	
)	
Defendants.		

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*Counsel and Co-Counsel for Plaintiff
Best Lighting Products, Inc.*

CONSENT JUDGMENT ORDER

This action has come before this Court upon the pleadings and proceeding of record, and it has been represented to the Court that the parties, Best Lighting Products, Inc. and Magnatron,

Inc., and R.T. Electrical Distributors, Inc. have agreed to a compromised settlement of the civil action and all patent infringement and copyright infringement and Lanham Act violations in existence at the time of execution of this Agreement of which the parties are aware.

WHEREFORE, with the consent of the parties, Best Lighting Products, Inc. and Magnatron, Inc., and R.T. Electrical Distributors, Inc.:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. This Court has jurisdiction over the parties and the subject matter of this action.
2. Best Lighting Products, Inc. owns and has standing to sue for infringement of United States Patent No. 6,309,085 entitled LAMP SUPPORT FOR EMERGENCY LIGHT FIXTURE (hereafter the “’085 patent”), which patent was duly and legally issued on October 30, 2001.
3. Best Lighting Products, Inc. owns and has standing to sue for infringement of United States Patent No. 6,606,808 entitled EXIT SIGN WITH ROTATABLE LIGHTING HEADS (hereafter the “’808 patent”), which patent was duly and legally issued on August 19, 2003.
4. Best Lighting Products, Inc. owns and has standing to sue for infringement of United States Design Patent No. D440,336 entitled LAMP SUPPORT FOR EMERGENCY LIGHT FIXTURE (hereafter the “’336 patent”), which patent was duly and legally issued on April 10, 2001.
5. Best Lighting Products, Inc. owns and has standing to sue for infringement of United States Copyright Registration No. TX 6-454-468 dated December 11, 2006.
6. Magnatron, Inc. and R.T. Electrical Distributors, Inc. agree and the Court therefore finds that each of the United States Patent Nos. 6,309,085; 6,606,808; and D440,336 and United States Copyright Registration TX 6-454-468 are valid and enforceable.

7. Magnatron, Inc. and R.T. Electrical Distributors, Inc. have made, used, sold, offered to sell and/or imported devices that infringe each of United States Patent Nos. 6,309,085; 6,606,808; and D440,336.

8. Magnatron, Inc. and R.T. Electrical Distributors, Inc., their Officers, Directors, employees, servants, agents, attorneys-in-fact, and all those persons in active concert or participation with them who receive notice of this Order, are hereby permanently restrained and enjoined from infringing United States Patent Nos. 6,309,085; 6,606,808; and D440,336.

9. Magnatron, Inc. and R.T. Electrical Distributors, Inc. have displayed photographs in their catalogs that infringe United States Copyright Registration TX 6-454-468.

10. Magnatron, Inc. and R.T. Electrical Distributors, Inc., their Officers, Directors, employees, servants, agents, attorneys-in-fact, and all those persons in active concert or participation with them who receive notice of this Order, are hereby permanently restrained and enjoined from infringing United States Copyright Registration TX 6-454-468.

11. Magnatron, Inc. and R.T. Electrical Distributors, Inc. have competed unfairly with Best Lighting Products, Inc. in violation of 15 U.S.C. §1125 (a) by using pictures of Best Lighting Products, Inc.'s products to sell their own different products.

12. Magnatron, Inc. and R.T. Electrical Distributors, Inc., their Officers, Directors, employees, servants, agents, attorneys-in-fact, and all those persons in active concert or participation with them who receive notice of this Order, are hereby permanently restrained and enjoined from competing unfairly with Best Lighting Products, Inc. in violation of 15 U.S.C. §1125 (a) by using pictures of Best Lighting Products, Inc.'s products to sell their own different products.

13. Best Lighting Products, Inc. forgoes its claim to monetary damages. However, if Magnatron, Inc. and/or R.T. Electrical Distributors, Inc. violates the terms of this Consent Judgment Order, in addition to any remedy for violation of the Order, Best Lighting Products, Inc. shall be able to seek all damages for any such violation, including, but not limited to,

damages for any patent infringement, copyright infringement and unfair competition that occurred prior to the date of this Consent Judgment Order.

14. Neither party will run or promote any advertisement in any publication that discusses the terms of this Consent Judgment Order, except that the parties may provide a statement as follows:

“The litigation between Best Lighting Products, Inc. and Magnatron, Inc., and R.T. Electrical Distributors, Inc. has been resolved.

15. Best Lighting Products, Inc.’s Complaint is hereby dismissed with prejudice.

16. This Court shall retain jurisdiction over this matter for the purpose of enforcing this Consent Judgment Order.

17. Each party will bear its own costs and attorney fees.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT

AGREED TO BY COUNSEL FOR:
BEST LIGHTING PRODUCTS, INC., MAGNATRON, INC., and R.T. ELECTRICAL
DISTRIBUTORS, INC.

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